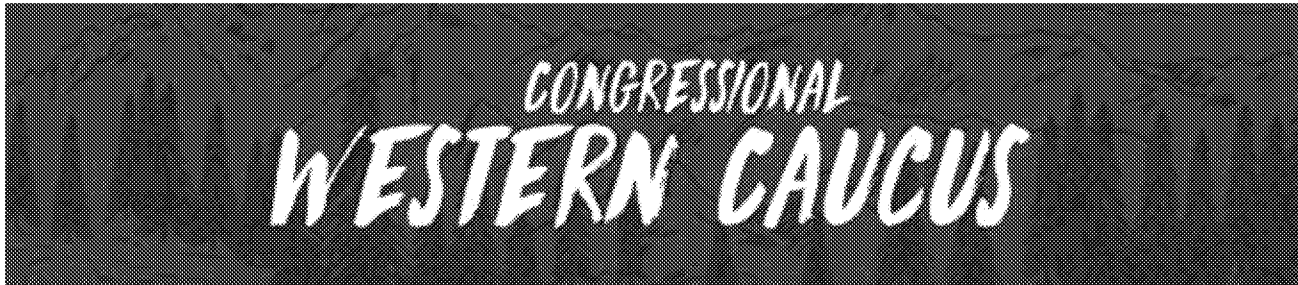


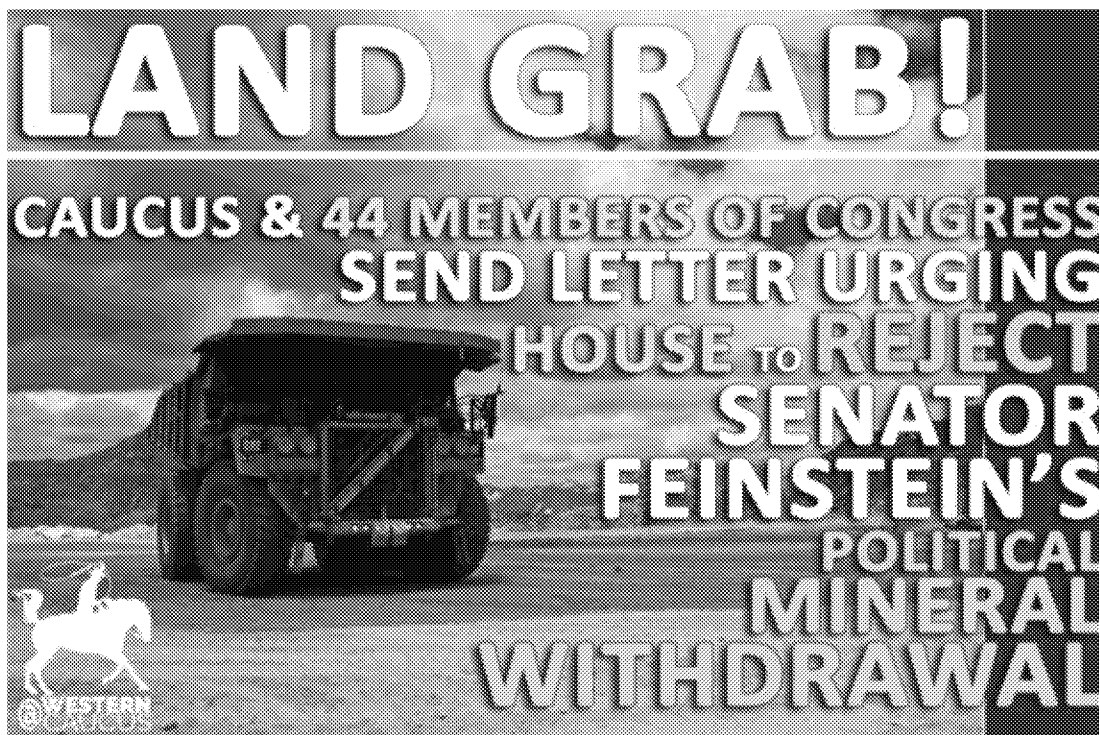
**From:** Hanson, Tanner [Tanner.Hanson@mail.house.gov]  
**Sent:** 2/16/2018 11:07:01 PM  
**To:** Hanson, Tanner [Tanner.Hanson@mail.house.gov]  
**CC:** Small, Jeff [Jeff.Small@mail.house.gov]  
**Subject:** 44 Members Urge Appropriators to Reject Feinstein Land Grab in Govt. Funding Bill



**For Immediate Release**  
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**Date:** February 16, 2018  
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## **44 Members Urge Appropriators to Reject Feinstein Land Grab in Government Funding Bill**



**WASHINGTON, D.C.** – Today, Congressional Western Caucus Chairman **Paul A. Gosar D.D.S. (AZ-04)**, Chief Regulatory Reform Officer **Andy Biggs (AZ-05)**, Western Caucus Members **Doug LaMalfa (CA-01)** and **Roger Marshall (KS-01)**, and Representative **David B. McKinley (WV-01)** released the following statements after 44 Members of the House of Representatives sent a letter to the Chairmen and Ranking Members of the Senate and House

Appropriations Committee urging appropriators to reject a land grab provision proposed by Senator Diane Feinstein (D-CA) that would skirt normal permitting processes to prevent a 56-million-ton California sand and gravel mine from opening:

“Today, the Western Caucus and other Members who joined with us sent a forceful message about the continued integrity of our nation’s permitting processes,” said **Chairman Gosar**. “Development of minerals critical to infrastructure and our nation’s security shouldn’t be subject to the whims of individual politicians. Rather than letting politics predetermine the outcome of a 56 million ton sand and gravel mine project that was allowed to move forward as a result of two legal contracts and a competitive bid, we should follow the normal environmental review process. We remain, after all, a nation of laws – despite the fact that certain politicians would prefer to be able to pull the levers of power to their liking. We implore appropriators to reject the political land grab proposed by Senator Feinstein and thereby reaffirm that the rule of law still carries the day.”

“The Feinstein land grab is a classic example of everything that is wrong with Washington. I am not surprised that over 10 years of regulatory compliance is not enough for the California Senator. I urge my colleagues to put economic freedom ahead of leftist politics,” said **Congressman Biggs**.

**Congressman LaMalfa** said, “After a lengthy, 10 year review process and ultimate approval from the BLM, my colleagues in the Senate are now threatening to disrupt development contracts for political gain. This would undermine the standard orderly process by which these contracts are reviewed and approved. The contracts in question are in a remote location and would produce 56 million tons of sand and gravel over 20 years. These are essential resources for efforts to modernize and improve America’s infrastructure. This is nothing but a political land grab that would disrupt contracts that most agree would be beneficial for California. I urge the Appropriations Committees to take this into account when writing any funding measures.”

“Kansas has a storied history of gypsum, salt, coal, limestone and other kinds of mining,” stated **Congressman Marshall**. “I’m proud to sign this letter because I worry what might happen to our industry in Kansas if individual politicians are able to make decisions about which projects shouldn’t be allowed to go forward. I support our current permitting process that protects our environment and facilitates our economy.”

“The Department of Interior and the federal courts have already decided, through lengthy approval processes and litigation, that these contracts are appropriate and should be executed. Subverting the regulatory process by inserting language revoking the mineral estate rights is just wrong. This action is purely political, and we urge leadership to stop this,” concluded **Congressman McKinley**.

### **Background:**

Today, 44 Members of the House of Representatives sent a letter to the Chairmen and Ranking Members of the Senate and House Appropriations Committee urging Appropriators to reject a land grab provision proposed by Senator Diane Feinstein (D-CA) that aims to prevent a California mine from opening. The mine is expected to produce 56 million tons of sand and gravel critically important to American infrastructure.

To read the full letter, click [HERE](#).

The 44 Members of Congress that signed this request include Representatives: Abraham, Babin, Biggs, Bilirakis, Brat, Mo Brooks, Buck, Cook, Cramer, Jeff Duncan, John Duncan, Neal P. Dunn, M.D., Farenthold, A. Drew Ferguson IV, DMD, Flores, Gaetz, Gohmert, Gosar, Sam Graves, Handel, Hice, Hunter, Trent Kelly, Steve King, Lamborn, LaMalfa, Marshall, McClintock, McKinley, McSally, Meadows, Mooney, Pearce, Perry, Ratcliffe, Rohrabacher, Dennis A. Ross, Sessions, Glenn ‘GT’ Thompson, Weber, Webster, Westerman, Ted S. Yoho, D.V.M., and Don Young.

The draft version of the Senate’s fiscal year 2018 Interior, Environment Appropriations Bill Released includes Section 124(a) that purports to withdraw the mineral estate of two CEMEX contracts approved by the BLM. This misguided provision represents another political attempt to short-circuit CEMEX’s Soledad operations and prevent the company from fulfilling two contracts issued by the BLM. A similar amendment put forth in the House was withdrawn due to overwhelming opposition and impending failure.

CEMEX’s two contracts in question are a result of the two contracts being put out for competitive bid by the BLM to mine sand and gravel. The BLM subsequently approved CEMEX’s project and these two contracts by issuing a Record of Decision following a lengthy review process which lasted more than 10 years. The withdrawal of the mineral estate covered by these contracts could constitute a taking and expose taxpayers as CEMEX has already invested nearly \$40 million to open this sand and gravel mine.

The proposed mine is expected to produce 56 million tons of sand and gravel over 20 years on a 460 acre site. These resources are critically important, especially when considering future initiatives to repair and expand American infrastructure in the region.

There are 1,140 **CEMEX U.S. related facilities** including: 10 cement plants, 43 strategically located distribution terminals, 57 aggregate quarries and more than 270 ready-mix concrete plants.

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